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ABSTRACT

This report presents six recommendations determined by the California Postsecondary Education Commission to be of highest priority for legislative initiatives or amendments to existing legislation in the 1990 legislative session. A discussion of each issue precedes the formal recommendation. The recommendations address the following areas: (1) meeting California's adult education needs; (2) ensuring equitable and predictable student fees; (3) revising the Master Plan for Higher Education; (4) improving State oversight of private postsecondary education; (5) promoting educational equity; and (6) long-range planning for higher education. Includes eight references. (DB)

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Summary

The Commission has agreed on the following six priorities for initiative with the Legislature during the 1990 legislative session:

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These priorities are based on existing Commission policy, and the recommended actions involve working with the Legislature either to amend existing legislation or to initiate new legislative proposals.

The Commission adopted this report at its meeting on January 22, 1990, on recommendation of its Administration and Liaison Committee. Additional copies of the report may be obtained from the Library of the Commission at (916) 324-4991. Questions about the substance of the report may be directed to Bruce Hamlett of the Commission staff at (916) 322-8010.

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LEGISLATIVE PRIORITIES OF THE COMMISSION, 1990

A Report of the California Postsecondary Education Commission

CALIFORNIA POSTSECONDARY EDUCATION COMMISSION
Third Floor • 1020 Twelfth Street • Sacramento, California 95814-3985

COMMISSION REPORT 90-7
PUBLISHED JANUARY 1990

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Legislative Priorities of the Commission, 1990

PREPARING for the first year of the 1989-90 legislative session, in January 1989, the Commission identified the following seven legislative priorities:

1. Improving State oversight of private postsecondary education.
2. Meeting California's adult education needs.
3. Promoting educational equity.
4. Ensuring equitable and predictable student fees.
5. Responding to new instructional technologies.
6. Developing State policy for adjusting maximum Cal Grant awards.
7. Revising the "Gann Limit" on spending.

Progress has been in the first and fifth of these priorities: Passage of SB 190 (Morgan) and AB 1402 (M. Waters) will help improve State oversight of private postsecondary education, and passage of AB 1470 (Farr) and SB 1202 (Hart) will help the State respond to new instructional technologies. Nonetheless, several of the Commission's priorities will require continued attention through the second year of the 1989-90 legislative session, and this document discusses six of them as follows:

1. Meeting California's adult education needs.
2. Ensuring equitable and predictable student fees.
3. Revising the Master Plan for Higher Education.
4. Improving State oversight of private postsecondary education.
5. Promoting educational equity.
6. Long-range planning for higher education.

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1. Meeting California's adult education needs

The issue: Supplemental Language to the 1987 Budget Act directed the Commission to review the adequacy of California's existing adult education system to meet current and future priorities. In responding to this directive, the Commission published *Meeting California's Adult Education Needs* in October 1988, in which it presented the following conclusions:

- California lags behind the rest of the nation in providing adult education to its citizens, and yet by any demographic indicator its population has equal, if not greater, need for literacy, vocational education, and other programs provided by adult and non-credit education. At this time, access is limited by growth limitations and funded below current service levels in much of the State.
- Some regions of the State are not served by any adult or non-credit education provider since only those districts with programs in existence before 1978 are authorized to offer courses -- even if local growth and circumstances warrant such activity. Eighteen school districts that lacked adult education programs in 1978 have requested authority to begin such programs, but legislative attempts to address the problem have failed. These districts are located in 14 counties, most of them small, rural, and with limited alternative education providers to offset the lack of adult education opportunities.
- Community colleges are constrained from entering more widely into the adult and non-credit education arena by the statutory stipulation that adult education courses are the primary responsibility of the adult schools. Except for courses offered at the 13th and 14th grade levels, community college governing boards must negotiate "delineation of function" agreements with local school district boards in order to provide State-subsidized courses for adults not seeking a degree or certificate.

The Commission therefore recommended that (1) the cap on funds for basic skills and English as a second language instruction should be removed, to allow classes to expand to meet the current urgent needs; (2) the prohibition against the starting of adult education programs by communities which lacked such programs in 1978 should be removed; and (3) the State Superintendent of Public Instruction and the

Chancellor of the California Community Colleges should establish a task force to jointly prepare and submit a five-year plan for California adult education.

The Commission sponsored AB 1273 (Campbell) to implement these recommendations, and this legislation is currently on the Senate Floor. Because of the lack of funding to implement the provisions of that bill, the decision was made not to move it to the Governor before the Legislature adjourned in September.

A second related issue concerns the urgent need to provide educational services to eligible legalized aliens under the provisions of the Immigration Reform and Control Act. The Commission was directed by the 1988 Budget Act to assess the adequacy of the educational programs for this population, and present recommendations for future educational funding. The Commission contracted with California Tomorrow to complete the report in response to this directive, and one of the important conclusions presented in the report, *Out of the Shadows -- The IRCA/SLIAG Opportunity*, is that:

> The Immigration Reform and Control Act of 1986 is not simply a federal program with funds funneled through the states. It represents a major opportunity for California to educate and bring into full participation in its society and economy a very large population of previously undocumented residents who have lived in the shadows for years. The long-term stakes for our State are significant, as are the long-term impacts of the legalization program. Federal funds through the State Legalization Impact Assistance Grants Program cushion the impact of the newly legalizing population on State revenues for education during the four- to five-year period ending in 1992. Hopefully, through this program, a significant portion of California's eligible legalized aliens will become education consumers. The State should expect increased demand for general equivalency diploma (GED) programs, English as a second language, basic skills, general education, and vocational training as eligible legalized aliens proceed to obtain citizenship. This could constitute a significant strain on California's educational system (p. 81).

The California Tomorrow report therefore recommended that the Legislature establish a policy task force to "consider the long-term impact of the legalizing population upon adult education and to recommend policy initiatives to ease the transfer of fiscal burden from federal to State funds" (ibid).

Recommendation: The Commission should sponsor legislation to implement its proposals to permit funding for English as a second language (ESL) and basic skills instruction to be provided on an on-demand basis and to remove the prohibition against the offering of adult education by communities that now cannot do so. In addition, the Commission should seek legislative action to establish a process to respond effectively to the long-term impact of legalization applicants upon adult and community college education.

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2. Ensuring equitable and predictable student fees

The issue: Current State student fee policy was enacted in 1985, through the passage of Senate Bill 195 (Maddy, Chapter 1523, Statutes of 1985) but is scheduled to sunset on August 31, 1990. This policy was developed by an intersegmental Student Fee Policy Committee, chaired by Commission staff. It includes principles stating that (1) fees are to be kept as low as possible; (2) the State shall bear primary responsibility for the cost of providing postsecondary education; (3) students shall be responsible for a portion of the total cost of their education; and (4) any necessary increases in mandatory systemwide student fees shall be gradual, moderate, predictable, and equitably borne by all students in each segment.

The policy specifically provides that (1) student fees shall be fixed at least ten months prior to the fall term in which they become effective; (2) in the event that State revenues and expenditures are substantially unbalanced due to unforeseen factors, annual fee increases or decreases are permitted up to only 10 percent; and (3) mandatory systemwide student fees for graduate students shall not differ from those charged undergraduate students.

In September 1989, the Legislature adopted, but the Governor vetoed, legislation (AB 1276, Areias) to extend this policy for five years, through August 1995. In his veto message, the Governor stated that while he supports existing policy, "I believe that extending

the sunset date for the current law would be premature before the outcome of the June election on Senate Constitutional Amendment 1."

The Commission was also directed by the Legislature, through Senate Concurrent Resolution 69 (Morgan), to convene a policy committee to develop recommendations for a long-term, non-resident undergraduate and graduate student tuition policy, as no policy currently exists. In June 1989, the policy committee recommended that:

> As California's public postsecondary education segments annually adjust the level of nonresident tuition they charge out-of-state students, the nonresident tuition methodologies they develop and use should take into consideration, at a minimum, the following two factors: (1) the total nonresident charges imposed by each of their public comparison institutions, and (2) the full average cost of instruction in their segment. Under no circumstances should a segment's level of nonresident tuition plus required fees fall below the marginal cost of instruction for that segment.
>
> In addition, each segment should endeavor to maintain that increases in the level of nonresident tuition are gradual, moderate, and predictable, by providing nonresident students with a minimum of a 10-month notice of tuition increases. Each governing board is directed to develop its own methodology for adjusting the level of nonresident tuition, but those methodologies should be consistent with this recommendation and existing statutes (p. 25).

Recommendation: The Commission should take a leadership role in promoting legislation to implement the consensus recommendations of the Student Fee Policy Committee to (1) extend the existing resident fee policy and (2) implement a new nonresident student tuition policy.

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3. Revising the Master Plan for Higher Education

The issue: The latest review of California's Master Plan for Higher Education is completing its fourth year of deliberation. The review began with the efforts of the Commission for the Review of the Master Plan and proceeded to the Legislature's Joint Committee for Review of the Master Plan. During the past year, Commission staff actively participated in the development of legislation that would revise the Master Plan to implement the recommendations of the Joint Committee in its report, *California Faces. . . California's Future: Education for Citizenship in a Multi-Cultural Democracy* At the October 1989 Commission meeting, staff provided a summary and analysis of the provisions in Assembly Bill 462 (Hayden) -- the omnibus bill to implement the Joint Committee's recommendations. Staff also shared testimony provided by the Executive Director to the Assembly Subcommittee on Higher Education that emphasized the need to conclude the review process on a positive note after four years of legislative effort.

The staff's analysis of AB 462 pointed out that many of the Joint Committee's recommendations are already embodied in the Donahoe Act for Higher Education. The Donahoe Act provides the following important priorities:

1. Delineation of function between the segments, including mission statements for the segments;
2. A policy statement that students qualified and motivated to attend should have access somewhere to the system;
3. The community college transfer core curriculum; and
4. Admissions and enrollment priorities for the University and the State University with: first priority to continuing undergraduates in good standing, second priority to transfer students, and third priority to new California entering freshmen.

The staff's analysis also highlighted the need to update the Donahoe Act in four specific areas: transfer, educational equity, the inclusion of the independent sector, and financial aid policy. The State needs to put incentives into place that will promote transfer, which is critical to increasing the number of underrepresented students in baccalaureate programs. The level of detail specifying transfer programs in current legislative proposals may inhibit or complicate implementation of transfer programs, but hopefully this issue can be resolved with the Legislature and the segments. The Donahoe Act makes no mention of the transcendent role of educational equity. Although the equity goal is embedded into insti-

tutional policy at all levels, it should be in law and be a matter enforceable in law. The Donahoe Act also omits both the independent sector and State policy on financial aid. Since these are crucial to access and choice, they too should be recognized as key components to California's system of higher education.

After discussing AB 462, the Commission expressed support for legislation to implement the broad policy recommendations of the Joint Committee for the Review of the Master Plan, focusing on areas that are not currently covered by the Donahoe Act for Higher Education.

Recommendation: The Commission should take a leadership role in working with the Legislature, the Governor, and the educational institutions to develop legislation to implement the recommendations of the Joint Committee that focus on transfer, educational equity, the inclusion of the independent sector, and financial aid, in order to provide broad policy direction and standards for accountability.

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4. Improving State oversight of private postsecondary education

The issue: A comprehensive reform of private postsecondary education was achieved in 1989, through the enactment of two bills -- the Private Postsecondary Education Reform Act of 1989 (Morgan) and the Maxine Waters School Reform and Student Protection Act of 1989. Senator Morgan's legislation was sponsored by the Commission, to implement the Commission's recommendations presented in *Recommendations for Revising the Private Postsecondary Education Act of 1977* (April 1989).

The major components of the Private Postsecondary Education Reform Act of 1989 are:

- The establishment of a new agency -- the California Council for Private Postsecondary and Vocational Education -- to approve and monitor the more than 2,000 private colleges, universities and vocational institutions that currently operate in California;
- The elimination of the existing Council for Private Postsecondary Educational Institutions in the State Department of Education, with the transfer of the existing responsibilities of the Private Postsecondary Education Division of the State Department of Education to the new Council;
- The elimination of the current three-tier licensing scheme for non-accredited, degree-granting institutions by establishing a single licensure category for all private colleges and universities, thereby requiring that all non-accredited institutions meet the same standards for quality through a consistent and rigorous review process; and
- The elimination of State reliance on non-governmental accrediting associations to monitor the operations of proprietary vocational institutions, thereby strengthening State oversight of private postsecondary institutions that participate in publicly funded financial assistance programs.

The Maxine Waters School Reform and Student Protection Act of 1989, which was supported by the Commission, provides a comprehensive strengthening of the consumer protection provisions for students enrolling in private vocational schools.

Both bills were lengthy, detailed, and complicated legislation and will require trailer or "clean-up" bills to correct any unintended technical errors or inconsistencies. Senator Morgan will use SB 194, which is currently in the Assembly Education Committee, as her trailer bill, and Assemblywoman Waters will use AB 1401, which is currently in the Senate Education Committee.

Recommendation: Commission staff should work with Senator Morgan, Assemblywoman Waters, and other legislators to enact appropriate trailer legislation that is consistent with the Commission's recommendations for strengthening State oversight of private postsecondary education, as adopted in April 1989.

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5. Promoting educational equity

The issue: The Commission's 1989-90 workplan assigns a high priority to activities designed to expand educational opportunities so that all Californians are encouraged and assisted to develop their talents and skills to the fullest for their own benefit and that of the State. The workplan activities include the goals of (1) increasing the ethnic and gender diversity of the professoriate; (2) enhancing the selection and

graduation of American Indian, Asian, Black, Hispanic, low-income and women students in graduate programs; (3) enhancing the preparation of teachers to provide a quality educational experience for the diverse population of school children of the future; and (4) increasing the flow of college students through baccalaureate graduation.

In January 1989, the Commission adopted a comprehensive report, *Toward Educational Equity*, in which it summarized the "state of the State" with respect to achieving the educational equity goals the commission had adopted in December 1988. Based on its analysis in that report, the Commission presented several conclusions and recommendations to State policy makers, including:

- Postsecondary educational institutions should reconsider their past reluctance to collaborate in efforts at the elementary school level. Benefits would result from cooperative programs with elementary schools, and colleges and universities should be encouraged to view these programs as long-run investments in their future students.
- Parents should be informed early in their childrens' schooling of the academic requirements for college entry and the commitment of the State to finance postsecondary education for all prepared students with a demonstrated need. Only if college is viewed as a realistic option by parents and their children in the early grades is there any reason for students to enroll in a college preparatory course of study and pursue the goal of a college degree.
- Preparing students for graduate study is a responsibility of the faculty who teach undergraduate courses. Encouragement and mentoring of undergraduate students from backgrounds historically underrepresented in teaching cadres will be required in order to achieve ethnic, racial and gender diversity in the public school, college, and university faculty during the next 12-year period, in which hiring of over half of the future elementary and secondary school teaching positions and 64 percent of college instructional positions will take place.
- For educational equity to become a reality, California's colleges and universities need to develop educational environments that foster multi-cultural and multi-lingual pluralism through their curricular offerings, pedagogy, student and counseling services, research, and public service. A strategy for encouraging these institutions to create learning environments responsive to the pluralistic nature of the State and its students is through the development of incentives and rewards that respond to institutional values and prerogatives. The State should establish a funding mechanism that provides additional resources to schools, colleges, and universities to develop innovative and experimental programs and practices for that purpose. If new resources are not available, the State should support creative ways to make alternative use of existing resources.

Recommendation: Commission staff should work with legislators and the Governor's staff to develop and implement proposals to achieve the Commission's educational equity objectives and to implement the Commission's recommendations to increase the rate of progress in achieving educational equity.

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6. Long-range planning for higher education

The issue: In response to directives from both the Legislature and the Governor, the Commission has prepared an analysis of the needs of the State for expansion in postsecondary education through the year 2005. All three segments of public postsecondary education were requested to prepare statewide projections of enrollments for this planning period as part of their preliminary individual segmental plans for expansion. The Commission has the responsibility for reviewing and commenting on these plans, and identifying for the Legislature and Governor the policy options available to the State to accommodate the potential demand.

The Commission's analysis and recommendations on this issue are presented in its report, *Higher Education at the Crossroads: Planning for the Twenty-First Century*. In order to promote effective decision making at the State level about the most cost-effective methods to expand the postsecondary enrollment capacity, it is important that the Commission's analysis and recommendations be distributed to and understood by the key decision makers within the Leg-

islature, the Governor's Office, and the educational institutions.

Recommendation: Commission staff should actively communicate the analysis, findings, and recommendations of the Commission's long-range planning report to the Legislature, the Governor and the educational institutions in order to assist in the development of an informed and analytically sound decision for the future growth of higher education.

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California Postsecondary Education Commission. *Meeting California's Adult Education Needs: Recommendations to the Legislature in Response to Supplemental Language in the 1988 Budget Act*. Commission Report 88-35. Sacramento: The Commission, October 1988.

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California Tomorrow. *Out of the Shadows -- The IRCA/SLIAG Opportunity: A Needs Assessment of Educational Services for Eligible Legalized Aliens in California Under the State Legalization Impact Assistance Grant Program of the Immigration Reform and Control Act of 1986*. California Postsecondary Education Commission Report 89-10. Sacramento: The Commission, May 1989.

Joint Committee for Review of the Master Plan for Higher Education. *California Faces . . . California's Future: Education for Citizenship in a Multi-Cultural Democracy*. Sacramento: California Legislature, March 1989.

CALIFORNIA POSTSECONDARY EDUCATION COMMISSION

THE California Postsecondary Education Commission is a citizen board established in 1974 by the Legislature and Governor to coordinate the efforts of California's colleges and universities and to provide independent, non-partisan policy analysis and recommendations to the Governor and Legislature.

Members of the Commission

The Commission consists of 15 members. Nine represent the general public, with three each appointed for six-year terms by the Governor, the Senate Rules Committee, and the Speaker of the Assembly. The other six represent the major segments of postsecondary education in California.

As of February 1990, the Commissioners representing the general public are:

Mim Andelson, Los Angeles;
C. Thomas Dean, Long Beach;
Henry Der, San Francisco;
Seymour M. Farber, M.D., San Francisco;
Rosalind K. Goddard, Los Angeles;
Helen Z. Hansen, Long Beach;
Lowell J. Paige, El Macero; *Vice Chair;*
Cruz Reynoso, Los Angeles; *Chair;* and
Stephen P. Teale, M.D., Modesto.

Representatives of the segments are:

Meredith J. Khachigian, San Clemente; appointed by the Regents of the University of California;

Theodore J. Saenger, San Francisco; appointed by the Trustees of the California State University;

John F. Parkhurst, Folsom; appointed by the Board of Governors of the California Community Colleges;

Harry Wugalter, Thousand Oaks; appointed by the Council for Private Postsecondary Educational Institutions;

Joseph D. Carrabino, Orange; appointed by the California State Board of Education; and

James B. Jamieson, San Luis Obispo; appointed by the Governor from nominees proposed by California's independent colleges and universities.

Functions of the Commission

The Commission is charged by the Legislature and Governor to "assure the effective utilization of public postsecondary education resources, thereby eliminating waste and unnecessary duplication, and to promote diversity, innovation, and responsiveness to student and societal needs."

To this end, the Commission conducts independent reviews of matters affecting the 2,600 institutions of postsecondary education in California, including community colleges, four-year colleges, universities, and professional and occupational schools.

As an advisory planning and coordinating body, the Commission does not administer or govern any institutions, nor does it approve, authorize, or accredit any of them. Instead, it cooperates with other State agencies and non-governmental groups that perform these functions, while operating as an independent board with its own staff and its own specific duties of evaluation, coordination, and planning.

Operation of the Commission

The Commission holds regular meetings throughout the year at which it debates and takes action on staff studies and takes positions on proposed legislation affecting education beyond the high school in California. By law, its meetings are open to the public. Requests to speak at a meeting may be made by writing the Commission in advance or by submitting a request before the start of the meeting.

The Commission's day-to-day work is carried out by its staff in Sacramento, under the guidance of its executive director, Kenneth B. O'Brien, who is appointed by the Commission.

The Commission publishes and distributes without charge some 30 to 40 reports each year on major issues confronting California postsecondary education. Recent reports are listed on the back cover.

Further information about the Commission, its meetings, its staff, and its publications may be obtained from the Commission offices at 1020 Twelfth Street, Third Floor, Sacramento, CA 98514-3985; telephone (916) 445-7933.

LEGISLATIVE PRIORITIES OF THE COMMISSION, 1990

California Postsecondary Education Commission Report 90-7

ONE of a series of reports published by the Commission as part of its planning and coordinating responsibilities. Additional copies may be obtained without charge from the Publications Office, California Postsecondary Education Commission, Third Floor, 1020 Twelfth Street, Sacramento, California 95814-3985.

Recent reports of the Commission include:

89-21 State Oversight of Postsecondary Education: Three Reports on California's Licensure of Private Institutions and Reliance on Non-Governmental Accreditation [A reprint of Reports 89-13, 89-17, and 89-18] (June 1989)

89-22 Revisions to the Commission's Faculty Salary Methodology for the California State University (June 1989)

89-23 Update of Community College Transfer Student Statistics, 1988-89: The University of California, The California State University, and California's Independent Colleges and Universities (August 1989)

89-24 California College-Going Rates, Fall 1988 Update: The Twelfth in a Series of Reports on New Freshman Enrollments at California's Colleges and Universities by Recent Graduates of California High Schools (September 1989)

89-25 Overseeing the Heart of the Enterprise: The Commission's Thirteenth Annual Report on Program Projection, Approval, and Review Activities, 1987-88 (September 1989)

89-26 Supplemental Report on Academic Salaries, 1988-89: A Report to the Governor and Legislature in Response to Senate Concurrent Resolution No. 51 (1965) and Subsequent Postsecondary Salary Legislation (September 1989)

89-27 Technology and the Future of Education: Directions for Progress. A Report of the California Postsecondary Education Commission's Policy Task Force on Educational Technology (September 1989)

89-28 Funding for the California State University's Statewide Nursing Program: A Report to the Legislature in Response to Supplemental Language to the 1988-89 Budget Act (October 1989)

89-29 First Progress Report on the Effectiveness of Intersegmental Student Preparation Programs: One of Three Reports to the Legislature in Response to Item 6420-0011-001 of the 1988-89 Budget Act (October 1989)

89-30 Evaluation of the Junior MESA Program: A Report to the Legislature in Response to Assembly Bill 610 (Hughes) of 1985 (October 1989)

89-31 Legislation Affecting Higher Education During the First Year of the 1989-90 Session: A Staff Report of the California Postsecondary Education Commission (October 1989)

89-32 California Colleges and Universities, 1990: A Guide to Degree-Granting Institutions and to Their Degree and Certificate Programs (December 1989)

90-1 Higher Education at the Crossroads: Planning for the Twenty-First Century (January 1990)

90-2 Technical Background Papers to *Higher Education at the Crossroads: Planning for the Twenty-First Century* (January 1990)

90-3 A Capacity for Learning: Revising Space and Utilization Standards for California Public Higher Education (January 1990)

90-4 Survey of Space and Utilization Standards and Guidelines in the Fifty States: A Report of MGT Consultants, Inc., Prepared for and Published by the California Postsecondary Education Commission (January 1990)

90-5 Calculation of Base Factors for Comparison Institutions and Study Survey Instruments: Technical Appendix to *Survey of Space and Utilization Standards and Guidelines in the Fifty States*. A Second Report of MGT Consultants, Inc., Prepared for and Published by the California Postsecondary Education Commission (January 1990)

90-6 Final Report, Study of Higher Education Space and Utilization Standards/Guidelines in California: A Third Report of MGT Consultants, Inc., Prepared for and Published by the California Postsecondary Education Commission (January 1990)

90-7 Legislative Priorities of the Commission, 1990: A Report of the California Postsecondary Education Commission (January 1990)

90-8 State Budget Priorities of the Commission, 1990: A Report of the California Postsecondary Education Commission (January 1990)

90-9 Guidelines for Review of Proposed Campuses and Off-Campus Centers: A Revision of the Commissions 1982 *Guidelines and Procedures for Review of New Campuses and Off-Campus Centers* (January 1990)

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